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7 Attorneys for Plaintiff  
UNITED STATES OF AMERICA  
8

9 UNITED STATES DISTRICT COURT  
10 FOR THE CENTRAL DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,  
12 Plaintiff,

13 v.

14 JOSE LUIS MARTINEZ-SALVALA,  
15 aka "Jorge Ramirez Jr.,"  
16 aka "Jorge Junior Ramirez"  
17 Defendant.

No. 8:25-cr-00084-DOC

PLEA AGREEMENT FOR DEFENDANT JOSE  
LUIS MARTINEZ-SALVALA  
2

18 1. This constitutes the plea agreement between Jose Luis  
19 Martinez-Salvala ("defendant") and the United States Attorney's  
20 Office for the Central District of California (the "USAO") in the  
21 above-captioned case. This agreement is limited to the USAO and  
22 cannot bind any other federal, state, local, or foreign prosecuting,  
23 enforcement, administrative, or regulatory authorities.

24 DEFENDANT'S OBLIGATIONS

25 2. Defendant agrees to:

26 a) Give up the right to indictment by a grand jury and,  
27 at the earliest opportunity requested by the USAO and provided by  
28 the Court, appear and plead guilty to a one-count information, in

1 the form attached to this agreement as Exhibit A or a substantially  
2 similar form, that charges defendant with being an illegal alien  
3 found in the United States following deportation or removal in  
4 violation of 8 U.S.C. § 1326(a), (b)(1).

5 b) Not contest facts agreed to in this agreement.

6 c) Abide by all agreements regarding sentencing  
7 contained in this agreement.

8 d) Appear for all court appearances, surrender as  
9 ordered for service of sentence, obey all conditions of any bond,  
10 and obey any other ongoing court order in this matter.

11 e) Not commit any crime; however, offenses that would be  
12 excluded for sentencing purposes under United States Sentencing  
13 Guidelines ("USSG" or "Sentencing Guidelines") § 4A1.2(c) are not  
14 within the scope of this agreement.

15 f) Be truthful at all times with the United States  
16 Probation and Pretrial Services Office and the Court.

17 g) Pay the applicable special assessment at or before  
18 the time of sentencing unless defendant has demonstrated a lack of  
19 ability to pay such assessment.

20 THE USAO'S OBLIGATIONS

21 3. The USAO agrees to:

22 a) Not contest facts agreed to in this agreement.

23 b) Abide by all agreements regarding sentencing  
24 contained in this agreement and recommend that defendant be  
25 sentenced to a term of imprisonment of three months or the low end  
26 of the applicable Sentencing Guidelines range corresponding to the  
27 Total Offense Level the parties have agreed to in paragraph 11 and  
28

1 the Criminal History Category determined by the Court, whichever is  
2 higher.

3 NATURE OF THE OFFENSE

4 4. Defendant understands that for defendant to be guilty of  
5 the crime charged in the one-count information, a violation of 8  
6 U.S.C. § 1326(a), the following must be true: (1) defendant was  
7 lawfully deported or removed from the United States; (2) after  
8 defendant's deportation or removal, defendant voluntarily entered  
9 the United States; (3) after defendant entered the United States,  
10 defendant knew that defendant was in the United States and knowingly  
11 remained; (4) defendant was found in the United States without  
12 having obtained consent to reapply for admission into the United  
13 States from the Attorney General or the Secretary of the Department  
14 of Homeland Security, or any authorized representative of either  
15 official; (5) defendant was, at the time of the offense, an alien,  
16 that is, a person who is not a natural-born or naturalized citizen,  
17 or a national, of the United States; and (6) defendant was free from  
18 official restraint at the time he or she entered the United States.  
19 Defendant was free from official restraint, unless defendant was  
20 under constant governmental observation from the moment defendant  
21 set foot in this country until the moment of defendant's arrest.

22 In order for defendant to be subject to the heightened  
23 statutory maximum penalties under 8 U.S.C. § 1326(b)(1), defendant's  
24 deportation or removal must have occurred after defendant was  
25 convicted of a felony, namely, the felony described in paragraph 9  
26 below.

PENALTIES

1  
2       5.    The statutory maximum sentence that the Court can impose  
3 for a violation of 8 U.S.C. § 1326(a), where the heightened  
4 statutory maximum penalties under 8 U.S.C. § 1326(b)(1) apply, is:  
5 10 years' imprisonment; a three-year period of supervised release; a  
6 fine of \$250,000; and a mandatory special assessment of \$100.

7       6.    Defendant understands that supervised release is a period  
8 of time following imprisonment during which defendant will be  
9 subject to various restrictions and requirements. Defendant agrees  
10 that the imposition of supervised release is warranted in this case,  
11 as authorized under USSG § 5D1.1, cmt. n.5. Defendant understands  
12 that if defendant violates one or more of the conditions of any  
13 supervised release imposed, defendant may be returned to prison for  
14 all or part of the term of supervised release authorized by statute  
15 for the offense that resulted in the term of supervised release,  
16 which could result in defendant serving a total term of imprisonment  
17 greater than the statutory maximum stated above.

18       7.    Defendant understands that the conviction in this case may  
19 result in defendant giving up valuable government benefits and civic  
20 rights and may also subject defendant to various other collateral  
21 consequences, including but not limited to revocation of probation,  
22 parole, or supervised release in another case and suspension or  
23 revocation of a professional license. Defendant understands that  
24 unanticipated collateral consequences will not serve as grounds to  
25 withdraw defendant's guilty plea.

26       8.    Defendant and his counsel have discussed the fact that,  
27 and defendant understands that, because defendant is not a United  
28 States citizen, the conviction in this case makes it practically

1 inevitable and a virtual certainty that defendant will be removed or  
2 deported from the United States. Defendant may also be denied  
3 United States citizenship and admission to the United States in the  
4 future. Defendant understands that while there may be arguments  
5 that defendant can raise in immigration proceedings to avoid or  
6 delay removal, removal is presumptively mandatory and a virtual  
7 certainty in this case. Defendant further understands that removal  
8 and immigration consequences are the subject of a separate  
9 proceeding and that no one, including his attorney or the Court, can  
10 predict to an absolute certainty the effect of his conviction on his  
11 immigration status. Defendant nevertheless affirms that he wants to  
12 plead guilty regardless of any immigration consequences that his  
13 plea may entail, even if the consequence is automatic removal from  
14 the United States.

15 FACTUAL BASIS

16 9. Defendant admits that defendant is, in fact, guilty of  
17 violating 8 U.S.C. § 1326(a) as described in the information and  
18 that he is subject to the heightened statutory maximum penalties  
19 under 8 U.S.C. § 1326(b)(1) as set forth above. Defendant and the  
20 USAO agree to the statement of facts provided below and agree that  
21 this statement of facts is sufficient to support a plea of guilty to  
22 the charge described in this agreement and to establish the  
23 Sentencing Guidelines factors set forth in paragraph 11 below but is  
24 not meant to be a complete recitation of all facts relevant to the  
25 underlying criminal conduct or all facts known to either party that  
26 relate to that conduct.

1 Defendant, a citizen of Mexico, was at all times relevant to  
2 this plea agreement an alien, that is, not a natural-born or  
3 naturalized citizen, or national, of the United States. Defendant  
4 was lawfully deported or removed from the United States on or about  
5 April 15, 2010. Subsequent to defendant's deportation or removal,  
6 defendant knowingly and voluntarily re-entered and thereafter  
7 remained in the United States. Defendant did so without the consent  
8 of the Attorney General or his designated successor, the Secretary  
9 of the Department of Homeland Security, or of any authorized  
10 representative of either the Attorney General or that Department, to  
11 reapply for admission or to otherwise re-enter and remain in the  
12 United States. After defendant re-entered and remained in the  
13 United States, on or about March 2, 2025, immigration authorities  
14 found defendant in Orange County, within the Central District of  
15 California. Defendant was found by immigration authorities after he  
16 had physically crossed the border of the United States.

17 On or about October 22, 2009, defendant was convicted of Second  
18 Degree Robbery, a felony, in violation of California Penal Code 211-  
19 212.5(C), in the Superior Court of California, County of Orange,  
20 North Justice Center, in case number 09NF2023, for which the  
21 sentence imposed was 270 days jail and 3 years formal probation.

#### 22 SENTENCING FACTORS

23 10. Defendant understands that in determining defendant's  
24 sentence the Court is required to calculate the applicable  
25 Sentencing Guidelines range and to consider that range, possible  
26 departures under the Sentencing Guidelines, and the other sentencing  
27 factors set forth in 18 U.S.C. § 3553(a). Defendant understands  
28 that the Sentencing Guidelines are advisory only, that defendant

1 cannot have any expectation of receiving a sentence within the  
 2 calculated Sentencing Guidelines range, and that after considering  
 3 the Sentencing Guidelines and the other § 3553(a) factors, the Court  
 4 will be free to exercise its discretion to impose any sentence it  
 5 finds appropriate up to the maximum set by statute for the crime of  
 6 conviction.

7 11. Defendant and the USAO agree to the following applicable  
 8 Sentencing Guidelines factors:

9 Base Offense Level: 8 [USSG §2L1.2(a)]

10 Acceptance of Responsibility: -2 [USSG §3E1.1(a)]

11 Early Disposition Program: -4 [USSG §5K3.1]

12 Defendant and the USAO further agree that, if Defendant's  
 13 Criminal History Category is Criminal History Category VI, the  
 14 Early Disposition Program Departure shall be only 2 levels (rather  
 15 than the 4 specified above).  
 16

17 12. Defendant may request or recommend additional downward  
 18 adjustments, departures, or variances from the Sentencing Guidelines  
 19 under 18 U.S.C. § 3553. The government will oppose any downward  
 20 adjustments, departures, or variances not set forth in this plea  
 21 agreement.

22 13. Defendant understands that there is no agreement as to  
 23 defendant's criminal history or Criminal History Category.

24 14. Defendant and the USAO agree that a three-year period of  
 25 supervised release should follow release from imprisonment.

26 15. The parties also agree that no prior imprisonment (other  
 27 than credits that the Bureau of Prisons may allow under 18 U.S.C.  
 28 § 3585(b)) may be credited against this stipulated sentence,



1 including credit under Sentencing Guideline § 5G1.3. Defendant  
2 represents, and the USAO does not contest, that defendant does not  
3 have the ability to pay a fine.

4 16. The parties agree to request that defendant be sentenced  
5 as soon as possible following the entry of defendant's guilty plea.  
6 The parties stipulate and agree that, with the exception of  
7 defendant's criminal history, there is sufficient information in the  
8 record to enable the Court to exercise its sentencing authority  
9 meaningfully without a presentence investigation or report. The  
10 parties agree to request that the United States Probation and  
11 Pretrial Services Office prepare a presentence report that is  
12 limited to defendant's criminal history only. To the extent  
13 defendant has a right to a presentence investigation and preparation  
14 of a presentence report relating to anything other than defendant's  
15 criminal history, defendant hereby knowingly, voluntarily, and  
16 intelligently waives that right. The parties agree to request that  
17 the Court find, pursuant to Federal Rule of Criminal Procedure  
18 32(c)(1), that the information in the record, coupled with a  
19 presentence report limited to defendant's criminal history, is  
20 sufficient to enable the Court to exercise its sentencing authority  
21 meaningfully without a more complete presentence investigation and  
22 report. The parties understand and agree that, in the event that  
23 the Court declines to make this finding and instead orders that a  
24 more complete presentence investigation be conducted and/or a more  
25 complete presentence report prepared, such action shall have no  
26 effect on the validity of this agreement or any of its terms or  
27 conditions and shall not provide a basis for either party to  
28 withdraw from the plea agreement.



WAIVER OF CONSTITUTIONAL RIGHTS

17. Defendant understands that by pleading guilty, defendant gives up the following rights:

- a) The right to persist in a plea of not guilty.
- b) The right to a speedy and public trial by jury.
- c) The right to be represented by counsel - and if necessary have the Court appoint counsel - at trial. Defendant understands, however, that, defendant retains the right to be represented by counsel - and if necessary have the Court appoint counsel - at every other stage of the proceeding.
- d) The right to be presumed innocent and to have the burden of proof placed on the government to prove defendant guilty beyond a reasonable doubt.
- e) The right to confront and cross-examine witnesses against defendant.
- f) The right to testify and to present evidence in opposition to the charges, including the right to compel the attendance of witnesses to testify.
- g) The right not to be compelled to testify, and, if defendant chose not to testify or present evidence, to have that choice not be used against defendant.
- h) Any and all rights to pursue any affirmative defenses, Fourth Amendment or Fifth Amendment claims, and other pretrial motions that have been filed or could be filed.

WAIVER OF APPEAL OF CONVICTION

18. Defendant understands that, with the exception of an appeal based on a claim that defendant's guilty plea was involuntary, by pleading guilty defendant is waiving and giving up

1 any right to appeal defendant's conviction on the offense to which  
2 defendant is pleading guilty. Defendant understands that this  
3 waiver includes, but is not limited to, arguments that the statute  
4 to which defendant is pleading guilty is unconstitutional, and any  
5 and all claims that the statement of facts provided herein is  
6 insufficient to support defendant's plea of guilty.

7 LIMITED MUTUAL WAIVER OF APPEAL OF SENTENCE

8 19. Defendant gives up the right to appeal all of the  
9 following: (a) the term of imprisonment imposed by the Court,  
10 provided it is within the statutory maximum and within the  
11 applicable Sentencing Guidelines range corresponding to the Total  
12 Offense Level the parties have agreed to in paragraph 11 and the  
13 Criminal History Category determined by the Court; (b) any fine  
14 imposed by the Court, provided it is within the statutory maximum;  
15 (c) the term of probation or supervised release imposed by the  
16 Court, provided it is within the statutory maximum; and (d) any of  
17 the following conditions of probation or supervised release imposed  
18 by the Court: the conditions set forth in Second Amended General  
19 Order 20-04 of this Court.

20 20. Defendant also gives up any right to bring a post-  
21 conviction collateral attack on the conviction or sentence, except a  
22 post-conviction collateral attack based on a claim of ineffective  
23 assistance of counsel.

24 21. The USAO agrees that, provided the Court imposes the  
25 sentence specified within the applicable Sentencing Guidelines range  
26 corresponding to the Total Offense Level the parties have agreed to  
27 in paragraph 11 and the Criminal History Category determined by the  
28

1 Court, the USAO gives up its right to appeal any portion of that  
2 sentence.

3 RESULT OF WITHDRAWAL OF GUILTY PLEA

4 22. Defendant agrees that if, after entering a guilty plea  
5 pursuant to this agreement, defendant seeks to withdraw and succeeds  
6 in withdrawing defendant's guilty plea on any basis other than a  
7 claim and finding that entry into this plea agreement was  
8 involuntary, then the USAO will be relieved of all of its  
9 obligations under this agreement.

10 EFFECTIVE DATE OF AGREEMENT

11 23. This agreement is effective upon signature and execution  
12 of all required certifications by defendant, defendant's counsel,  
13 and an Assistant United States Attorney.

14 BREACH OF AGREEMENT

15 24. Defendant agrees that if defendant, at any time after the  
16 signature of this agreement and execution of all required  
17 certifications by defendant, defendant's counsel, and an Assistant  
18 United States Attorney, knowingly violates or fails to perform any  
19 of defendant's obligations under this agreement ("a breach"), the  
20 USAO may declare this agreement breached. All of defendant's  
21 obligations are material, a single breach of this agreement is  
22 sufficient for the USAO to declare a breach, and defendant shall not  
23 be deemed to have cured a breach without the express agreement of  
24 the USAO in writing. If the USAO declares this agreement breached,  
25 and the Court finds such a breach to have occurred, then: (a) if  
26 defendant has previously entered a guilty plea pursuant to this  
27 agreement, defendant will not be able to withdraw the guilty plea,  
28 (b) the USAO will be relieved of all its obligations under this

1 agreement, and (c) the Court's failure to follow any recommendation  
2 or request regarding sentence set forth in this agreement will not  
3 provide a basis for defendant to withdraw defendant's guilty plea.

4 COURT AND UNITED STATES PROBATION AND PRETRIAL SERVICES

5 OFFICE NOT PARTIES

6 25. Defendant understands that the Court and the United States  
7 Probation and Pretrial Services Office are not parties to this  
8 agreement and need not accept any of the USAO's sentencing  
9 recommendations or the parties' agreements to facts, sentencing  
10 factors, or sentencing. Defendant understands that the Court will  
11 determine the facts, sentencing factors, and other considerations  
12 relevant to sentencing and will decide for itself whether to accept  
13 and agree to be bound by this agreement.

14 26. Defendant understands that both defendant and the USAO are  
15 free to: (a) supplement the facts by supplying relevant information  
16 to the United States Probation and Pretrial Services Office and the  
17 Court, and (b) correct any and all factual misstatements relating to  
18 the Court's Sentencing Guidelines calculations and determination of  
19 sentence.

20 NO ADDITIONAL AGREEMENTS

21 27. Defendant understands that, except as set forth herein,  
22 there are no promises, understandings, or agreements between the  
23 USAO and defendant or defendant's attorney, and that no additional  
24 promise, understanding, or agreement may be entered into unless in a  
25 writing signed by all parties or on the record in court.


PLEA AGREEMENT PART OF THE GUILTY PLEA HEARING

28. The parties agree that this agreement will be considered part of the record of defendant's guilty plea hearing as if the entire agreement had been read into the record of the proceeding.


AGREED AND ACCEPTED

UNITED STATES ATTORNEY'S OFFICE  
FOR THE CENTRAL DISTRICT OF CALIFORNIA


BILAL A. ESSAYLI  
United States Attorney

  
\_\_\_\_\_  
KEVIN Y. FU  
Assistant United States Attorney

5/23/25  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
JOSE LUIS MARTINEZ-SALVALA  
Defendant

5/14/25  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
MICHAEL SCHACHTER/ANDREA JACOBS  
Attorney for Defendant  
Jose Luis Martinez-Salvala

5/14/25  
\_\_\_\_\_  
Date

CERTIFICATION OF DEFENDANT

TO DEFENDANT AND COUNSEL: INITIAL THE TRUE STATEMENT AND CROSS  
OUT THE OTHER:

1. This agreement has been read to me in Spanish, the language I understand best. Defendant's initials: \_\_\_\_/ Counsel's initials: \_\_\_\_ OR:

2. I am fluent in English and have carefully read this agreement. Defendant's initials: JM/ Counsel's initials: MS  
AJ

1 I have had enough time to review and consider this agreement,  
 2 and I have carefully and thoroughly discussed every part of it with  
 3 my attorney. I understand the terms of this agreement, and I  
 4 voluntarily agree to those terms. I have discussed the evidence  
 5 with my attorney, and my attorney has advised me of my rights, of  
 6 possible pretrial motions that might be filed, of possible defenses  
 7 that might be asserted either prior to or at trial, of the  
 8 sentencing factors set forth in 18 U.S.C. § 3553(a), of relevant  
 9 Sentencing Guidelines provisions, and of the consequences of  
 10 entering into this agreement. No promises, inducements, or  
 11 representations of any kind have been made to me other than those  
 12 contained in this agreement. No one has threatened or forced me in  
 13 any way to enter into this agreement. I am satisfied with the  
 14 representation of my attorney in this matter, and I am pleading  
 15 guilty because I am guilty of the charges and wish to take advantage  
 16 of the promises set forth in this agreement, and not for any other  
 17 reason.

18   
 19 JOSE LUIS MARTINEZ-SALVALA  
 Defendant 2

5/14/25  
 Date

21 CERTIFICATION OF INTERPRETER [IF APPLICABLE]

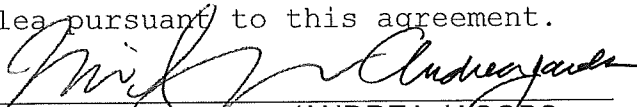
22 I, \_\_\_\_\_, am fluent in the written and  
 23 spoken English and Spanish languages. I accurately translated this  
 24 entire agreement from English into Spanish to defendant JOSE LUIS  
 25 MARTINEZ-SALVALA on this date.

26 \_\_\_\_\_  
 27 INTERPRETER

\_\_\_\_\_  
 Date

CERTIFICATION OF DEFENDANT'S ATTORNEY

I am JOSE LUIS MARTINEZ-SALVALA's attorney. I have carefully and thoroughly discussed every part of this agreement with my client. Further, I have fully advised my client of his rights, of possible pretrial motions that might be filed, of possible defenses that might be asserted either prior to or at trial, of the sentencing factors set forth in 18 U.S.C. § 3553(a), of relevant Sentencing Guidelines provisions, and of the consequences of entering into this agreement. To my knowledge: no promises, inducements, or representations of any kind have been made to my client other than those contained in this agreement; no one has threatened or forced my client in any way to enter into this agreement; my client's decision to enter into this agreement is an informed and voluntary one; and the factual basis set forth in this agreement is sufficient to support my client's entry of a guilty plea pursuant to this agreement.

  
MICHAEL SCHACHTER/ANDREA JACOBS  
Attorney for Defendant  
JOSE LUIS MARTINEZ-SALVALA  
2

5/14/25  
Date



UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSE LUIS MARTINEZ-SALVALA,  
aka "Jorge Ramirez Jr.,"  
aka "Jorge Junior Ramirez,"

Defendant.

SA CR No. 25-

I N F O R M A T I O N

[8 U.S.C. §§ 1326(a), (b)(1):  
Illegal Alien Found in the  
United States Following  
Deportation]

The United States Attorney charges:

[8 U.S.C. §§ 1326(a), (b)(1)]

On or about March 2, 2025, defendant Jose Luis Martinez-Salvala, also known as ("aka") "Jorge Ramirez Jr.," aka "Jorge Junior Ramirez," an alien, who had been officially deported and removed from the United States on or about April 15, 2010, was found in Orange County, within the Central District of California, after knowingly and voluntarily re-entering and remaining in the United States without having obtained permission from the Attorney General or his designated successor, the Secretary for Homeland Security, to reapply for

1 admission to the United States following deportation and  
2 removal.

3 Defendant's previously alleged deportation and removal from  
4 the United States occurred subsequent to defendant's conviction  
5 for the following felony: Second Degree Robbery, a felony, in  
6 violation of California Penal Code 211-212.5(C), in the Superior  
7 Court of California, County of Orange, North Justice Center, in  
8 case number 09NF2023.

9  
10 BILAL A. ESSAYLI  
United States Attorney

11 LINDSEY GREER DOTSON  
12 Assistant United States Attorney  
Chief, Criminal Division

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15 LAWRENCE E. KOLE  
16 Assistant United States Attorney  
Domestic Security and Immigration  
17 Crimes Section

18 KEVIN Y. FU  
Assistant United States Attorney  
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